

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 13

JOHN S ORR

Case No. 18-35963 cgm

Debtor(s).
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ORDER AVOIDING JUDICIAL LIENS PURSUANT TO 11 U.S.C. § 522(f)

Upon the motion, made in the chapter 13 plan in this case, filed June 7, 2018 as Docket. No. 3, Part 3, Section 3.7 (with the exhibits thereto, the “Motion”), of the debtor herein, John S. Orr (the “Debtor”) for an order pursuant to 11 U.S.C. § 522(f) avoiding the judicial lien of Midland Funding LLC described therein and herein on the Debtor’s real property located at 98 Mandys Road, Westtown NY 10998 (the “Property”) as impairing the Debtor’s homestead exemption; and there being due and sufficient notice of the Motion and the opportunity for a hearing thereon, including on [each of] the judicial lienor[s]; and there being no opposition to the requested relief; and no additional notice or a hearing being required; and, after due deliberation, the Court having determined that the foregoing judicial lien fully impairs the Debtor’s homestead exemption [to the extent reflected herein]; and good and sufficient cause appearing, it is hereby

ORDERED, that the Motion is granted; and it is further

ORDERED, that pursuant to 11 U.S.C. § 522(f), the fixing of the judicial lien of Midland Funding LLC against the Property and its proceeds, recorded in Orange County Clerk’s Office on September 3, 2014, and bearing Index No. 004838-2014, Instrument No. 20140073975, Book 8148, Page 349 in the amount of \$11,134.80, is avoided; and it is further

ORDERED, that the Clerk of Orange County, New York shall mark on its records that the foregoing judicial lien of Midland Funding LLC against the Property and its proceeds has been avoided under 11 U.S.C. § 522(f) pursuant to Bankruptcy Court Order; provided, that the Debtor may record a copy of this Order with such Clerk as alternative notice thereof; and it is further

ORDERED, that this Order is deemed to be a separate order with respect to each judicial lien avoided hereby.

Dated: September 4, 2018
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge